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P. 1

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**FAX TRANSMISSION****DATE:** March 24, 2010**PTO IDENTIFIER:** Application Number 10/824,826  
Patent Number 6,916,830**Inventor:** Kyungae Lee et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** EDWARDS ANGELL PALMER & DODGE LLP  
Dwight D. Kim, Ph.D.**PHONE:** (617) 517-5588**Attorney Dkt. #:** 56948CON(72021)**PAGES (Including Cover Sheet):** 10**CONTENTS:** Fee Transmittal (1 page)  
Petition to Accept Unintentionally Delayed Maintenance Fee in an Expired Patent (3 pages)  
Petition for Revival of a Patent Abandoned Unintentionally (3 pages)  
Notification of Loss of Entitlement to Small Entity Status (1 page)  
Certificate of Transmission (1 page)  
Charge \$2,620.00 to deposit account 04-1105

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P.O. Box 55874, Boston, Massachusetts 02205  
**Telephone:** (617) 239-0100 **Facsimile:** (617) 227-4420

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Application No. (if known): 10/824,826

Attorney Docket No.: 56948CON(72021)

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on March 24, 2010  
Date

Shayla N. Bernstein  
Signature

Shayla N. Bernstein

Typed or printed name of person signing Certificate

Registration Number, if applicable

(617) 239-0638  
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Fax Cover Sheet (1 page)

Fee Transmittal (1 page)

Petition to Accept Unintentionally Delayed Maintenance Fee in an Expired Patent (3 pages)

Petition for Revival of a Patent Abandoned Unintentionally (3 pages)

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NO. 8559 P. 3

PTO/SB/17 (10-08)

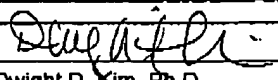
Approved for use through 06/30/2010. OMB 0851-0032  
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<p>Effective on 12/09/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4018).</p> <p><b>FEE TRANSMITTAL</b> <b>For FY 2009</b></p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>		<p><b>Complete if Known</b></p> <p>Application Number: Patent #: 6,916,830</p> <p>Filing Date: Issued: July 12, 2005</p> <p>First Named Inventor: Kyungae Lee</p> <p>Examiner Name: Z. N. Davis</p> <p>Art Unit: 1625</p> <p>Attorney Docket No.: 56948CON(72021)</p>	
<p><b>TOTAL AMOUNT OF PAYMENT</b> (\$) 2,620.00</p>			

<p><b>METHOD OF PAYMENT</b> (check all that apply)</p> <p><input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify):</p> <p><input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 04-1105 Deposit Account Name: Edwards Angell Palmer &amp; Dodge LLP</p> <p>For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)</p> <p><input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee</p> <p><input type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Credit any overpayments</p>	
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<p><b>FEE CALCULATION</b></p>							
<p><b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b></p>							
		<p><b>FILING FEES</b></p>		<p><b>SEARCH FEES</b></p>		<p><b>EXAMINATION FEES</b></p>	
		Small Entity		Small Entity		Small Entity	
Application Type	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fees Paid (\$)
Utility	330	165	540	270	220	110	
Design	220	110	100	50	140	70	
Plant	220	110	330	165	170	85	
Reissue	330	165	540	270	650	325	
Provisional	220	110	0	0	0	0	
<p><b>2. EXCESS CLAIM FEES</b></p>							
						Small Entity	
Fee Description						Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)						52	26
Each independent claim over 3 (including Reissues)						220	110
Multiple dependent claims						390	195
Total Claims		Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims		
- 20 or HP		x	=		Fee (\$) Fee Paid (\$)		
HP = highest number of total claims paid for, if greater than 20.							
Indep. Claims		Extra Claims	Fee (\$)	Fee Paid (\$)			
- 3 or HP		x	=				
HP = highest number of independent claims paid for, if greater than 3.							
<p><b>3. APPLICATION SIZE FEE</b></p>							
<p>If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).</p>							
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)			
- 100 =	/50 =	(round up to a whole number) x	=				
<p><b>4. OTHER FEE(S)</b></p>							
Non-English Specification, \$130 fee (no small entity discount)							
Other (e.g., late filing surcharge):							
1551 Maintenance fee due at 3.5 years				980.00			
1558 Surcharge after expiration - Late payment is ...				1,640.00			

<p><b>SUBMITTED BY</b></p>		<p>Registration No. 57,685</p>		<p>Telephone (617) 517-5588</p>	
Signature		(Attorney/Agent)		Date	March 24, 2010
Name (Print/Type)	Dwight D. Kim, Ph.D.				

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PTO/SB/68 (03-09)  
Approved for use through 03/31/2012. OMB 0651-0018  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF  
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(c))**

Docket Number (Optional)  
56948CON(72021)

Mail to: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Fax: (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information  
at (571) 272-3282.

Patent No. 6,916,830 Application Number 10/824,826  
Issue Date July 12, 2005 Filing Date April 15, 2004

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent  
number (or reissue patent number, if a reissue) and (2) the application number of the  
actual U.S. application (or reissue application) leading to issuance of that patent to  
ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable

The above-identified patent:

☐ is a reissue of original Patent No. \_\_\_\_\_, original issue date \_\_\_\_\_;  
original application number \_\_\_\_\_  
original filing date \_\_\_\_\_

☐ resulted from the entry into the U.S. under 35 U.S.C. 371 of international  
application \_\_\_\_\_ filed on \_\_\_\_\_

03/26/2010 DALLEN 00000031 041105 6916830  
01 FC:1599 2620.00 DA

MAR 24 2010

PTO/SB/66 (03-09)

Approved for use through 03/31/2012. OMB 0651-0016

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## 1. SMALL ENTITY

☐ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

## 2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☒ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g).

## 3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input checked="" type="checkbox"/> \$ 980.00	3 ½ yr fee	(1551)	<input type="checkbox"/> \$ _____	3 ½ yr fee	(2551)
<input type="checkbox"/> \$ _____	7 ½ yr fee	(1552)	<input type="checkbox"/> \$ _____	7 ½ yr fee	(2552)
<input type="checkbox"/> \$ _____	11 ½ yr fee	(1553)	<input type="checkbox"/> \$ _____	11 ½ yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ 980.00

## 4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(2) of \$ 1,640.00 (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of the maintenance fee.SURCHARGE BEING SUBMITTED \$ 1,640.00

## 5. MANNER OF PAYMENT

☐ Enclosed is a check for the sum of \$ \_\_\_\_\_☒ Please charge Deposit Account No. 04-1105 the sum of \$ 2,620.00☐ Payment by credit card. Form PTO-2038 is attached.

## 6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

☒ The Director is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. 04-1105

MAR. 24. 2010 3:43PM

NO. 8559 P. 6

PTO/SB/66 (03-09)

Approved for use through 03/31/2012. OMB 0651-0016

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## 7. OVERPAYMENT

As to any overpayment made please

☒ Credit to Deposit Account No. 04-1105

OR

☐ Send refund check.

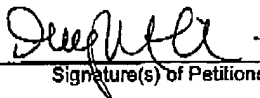
## WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

## 8. STATEMENT

The delay in payment of the maintenance fee to this patent was unintentional as shown in the attached Petition for Revival of a Patent Abandoned Unintentionally.

## 9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.



Signature(s) of Petitioner(s)

March 24, 2010

Date

Dwight D. Kim, Ph.D.

Typed or printed name(s)

57,665

Registration Number, if applicable

(617) 517-5588

Telephone Number

EDWARDS ANGELL PALMER & DODGE LLP  
P.O. Box 55874  
Boston, Massachusetts 02205

Address

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

## ENCLOSURES:

☒ Maintenance Fee payment☒ Surcharge under 37 CFR 1.20(i)(2) (fee for filing the maintenance fee petition)☒ Fee Transmittal, Fax Cover Sheet, Certificate of Transmission and Petition

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Kyungae Lee et al.

Application No.: 10/824,826 (now US 6,916,830)

Confirmation No.: 7734

Filed: April 15, 2004

Art Unit: 1625

For: SUBSTITUTED TETRAHYDROISO-  
QUINOLINES AS C5A RECEPTOR  
MODULATORS

Examiner: Davis, Z. N.

**PETITION FOR REVIVAL OF A PATENT ABANDONED UNINTENTIONALLY UNDER**  
**37 CFR 1.137(b)**

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

1. Patentee hereby petitions for revival of US Patent 6,916,830 pursuant to 37 CFR 1.137(b). US Patent 6,916,830 become abandoned unintentionally.

2. The above-identified US Patent 6,916,830 became abandoned for failure to file a timely and proper payment of the 3.5 year maintenance fee. The maintenance fee was finally due with surcharge on July 12, 2009.

3. The undersigned first became aware yesterday, March 23, 2010, of the abandonment of US Patent 6,916,830 upon review of the patent with a representative of the patent's current owner.

4. The above referenced US patent was filed and prosecuted by in-house counsel of Neurogen Corporation. Evidence clearly indicates that Neurogen Corporation intended to maintain US Patent 6,916,830, even though the maintenance fee was not

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NO. 8559 P. 8

Application No.: 10/824,826

2

Docket No.: 56948CON(72021)

timely paid by Neurogen Corporation. Thus, communications regarding Neurogen Corporation's assignment of US Patent 6,916,830 began well prior to the payment deadline of July 12, 2009. US Patent 6,916,830 was assigned to Novartis International Pharmaceutical, Ltd., on February 26, 2009. As mentioned, Petitioners first became aware of the lapsed deadline to pay the 3.5 year annuity yesterday, March 23, 2010.

5. The entire delay in paying the 3.5 year maintenance fee from the due date until the filing of the instant grantable petition under 37 CFR 1.137(b) was unintentional. It is submitted, therefore, that on the basis described above the abandonment should be held to be inadvertent, the present Petition granted and payment should be entered and the patent revived.

6. Patentee therefore petitions for acceptance of a late maintenance fee and for reinstatement of U.S. Patent No. 6,916,830, pursuant to 37 CFR §1.378(c) and/or 37 CFR §1.378(e). As required by 37 CFR §1.378(c), the Petition dated March 24, 2010, is filed within twenty-four months after the six-month grace period provided in §1.362(e).

7. In addition, a "Loss of Entitlement to Small Entity Status" is being filed on even date herewith. Small entity status is no longer claimed for the subject patent. Therefore, it is believed that the appropriate maintenance fee for the subject patent is \$980.00. The Director is hereby authorized to charge this amount to our Deposit Account no. 04-1105 (as noted in the accompanying "Request under 37 CFR §1.28 to Excuse Error in Payment of Small Entity Fees and Request for Change of Entity Status").

8. Please charge our Deposit Account No. 04-1105 in the amount of \$1,640.00 covering the fee set forth in 37 CFR 1.17(m), and \$400.00 covering the fee set forth in 37 CFR 1.17(f). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 56948(72021).

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NO. 8559 P. 9

Application No.: 10/824,826

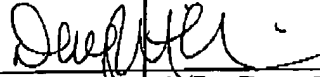
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Docket No.: 56948CON(72021)

Dated: March 24, 2010

Respectfully submitted,

By



Dwight D. Kim, Ph.D., Reg. 57,665

EDWARDS ANGELL PALMER & DODGE LLP

P.O. Box 55874

Boston, Massachusetts 02205

(617) 517-5588

Attorneys/Agents For Patentee

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Docket No.: 56948CON(72021)  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Kyungae Lee et al.

Application No.: 10/824,826 (now US 6,916,830)

Filed: April 15, 2004

For: SUBSTITUTED TETRAHYDROISO-  
QUINOLINES AS C5A RECEPTOR  
MODULATORS

Confirmation No.: 7734

Art Unit: 1625

Examiner: Davis, Z. N.

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NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

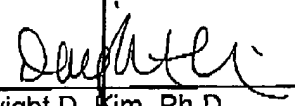
Dear Sir/Madam:

Applicants hereby notifies the Patent and Trademark Office that it is not entitled to status as a small entity, and that the claim for small entity status filed by the Applicant is hereby withdrawn.

Dated: March 24, 2010

Respectfully submitted,

By

  
Dwight D. Kim, Ph.D.

Registration No.: 57,665

P.O. Box 55874

Boston, Massachusetts 02205

(617) 517-5588

Attorneys/Agents For Applicant

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